

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

PENNINGTON SEED, INC.,	:	
	:	
Plaintiff,	:	
	:	CIVIL ACTION FILE
v.	:	NO. 1:09-CV-0903-BBM
	:	
THE SCOTTS MIRACLE-GRO	:	
COMPANY, INC., and THE	:	
SCOTTS COMPANY LLC,	:	
	:	
Defendants.	:	

ORDER

This matter is before the court on Plaintiff Pennington Seed, Inc.'s Motion for Temporary Restraining Order and Preliminary Injunction [Doc. No. 34]. The television commercial which was the subject of the Motion is no longer being aired. Therefore, the Motion is DENIED as moot.

IT IS SO ORDERED this 4th day of August, 2009.

s/Beverly B. Martin
BEVERLY B. MARTIN
UNITED STATES DISTRICT JUDGE